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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,791	11/15/2001	Carsten Guenther	DE9-2000-0033 (268)	4874

40987 7590 09/14/2005	EXAMINER
AKERMAN SENTERFITT	YOUNG, DONALD G

AKERMAN SENTERFITT
P. O. BOX 3188
WEST PALM BEACH, FL 33402-3188

ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/003,791	GUENTHER ET AL.
	Examiner	Art Unit	
	Donald Young	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *15 November 2001*.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-29* is/are pending in the application.
       4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-29* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
       Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
       Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
       a)☐ All b)☐ Some * c)☐ None of:
         1.☐ Certified copies of the priority documents have been received.
         2.☐ Certified copies of the priority documents have been received in Application No. _____.
         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
       * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1-13-03*
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 06/02/2005

DETAILED ACTION

Drawings

1.   The drawings are objected to as failing to comply with 37 CFR

1.84(p)(5) because they include the following reference character(s)

not mentioned in the description: Fig. 2, element 12.   Corrected

drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the

specification to add the reference character(s) in the description in

compliance with 37 CFR 1.121(b) are required in reply to the Office

action to avoid abandonment of the application. Any amended

replacement drawing sheet should include all of the figures appearing

on the immediate prior version of the sheet, even if only one figure

is being amended. Each drawing sheet submitted after the filing date

of an application must be labeled in the top margin as either

"Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the

changes are not accepted by the examiner, the applicant will be

notified and informed of any required corrective action in the next .

Office action. The objection to the drawings will not be held in

abeyance.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section

made in this Office action:

   . A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   **Claims 1-10, 17-21** are rejected under 35 U.S.C. 102(e) as being anticipated by Profit, Jr. *et al.* (USPN 6636831).

Regarding claim 1, Profit, Jr. *et al.* discloses a client system for gathering information via a network by voice input comprising:

- a speech recognition engine installed on said client system (Fig. 4, element 76 and column 7, lines 44-48);,

- a communication component installed on said client system configured to establish communications with a communication component on a server system which provides access to information stored on said server (Fig. 4, element 30 and 74 and column 10, lines 14-18); and

- a voice navigation component (column 9, lines 53-55) configured to provide information-dependent grammars (conversational templates) from said server to said speech recognition engine (Fig. 4, element 122·and column 3, lines 39-42) via said communication component based on initial information loaded from said server to said client and configured to process results of said speech recognition system (column 7, lines 44-48).

Regarding claim 2, Profit, Jr. *et al.* discloses a client system
for gathering information via a network by voice input wherein,

- said speech recognition engine further includes a speech
  synthesis engine (Fig. 4, element 80 and column 7, lines
  58-59).

Regarding claim 3, Profit, Jr. *et al.* discloses a client system
for gathering information via a network by voice input wherein,

- said communication component on said client system and
  said voice navigation component form an integral
  component (Fig. 17, element 538 and 542).

Regarding claim 4, Profit, Jr. *et al.* discloses a client system
for gathering information via a network by voice input wherein,

- said communication component on said client system is a
  browser (Fig. 4, element 30 and column 10, lines 1-6).

Regarding claim 5, Profit, Jr. *et al.* discloses a client system
for gathering information via a network by voice input wherein,

- said voice navigation component is configured to locate,
  select, and initialize a speech recognition engine and a
  speech synthesis engine (inherent due to the fact that
  both components reside in the same software suite),

- and to enable and disable information-dependent grammar
  (conversational templates Fig. 14, element 290 and 291
  and column 14, lines 35-52),

- and to process recognition results from said speech recognition engine (column 7, lines 44-48).

Regarding claim 6, Profit, Jr. *et al.* discloses a client system for gathering information via a network by voice input wherein,

- said network is an Intranet or an Internet (column 6, lines 57-58).

Regarding claim 7, Profit, Jr. *et al.* discloses a client-server system comprising:

- a client having a speech recognition engine (Fig. 4, element 76 and column 7, lines 44-48), and

- a speech synthesis engine (Fig. 4, element 80 and column 7, lines 58-59),

- a client communication component configured to establish communications with a server (Fig. 4, element 30 and 74 and column 10, lines 14-18), and

- a voice navigation component configured to provide information-dependent grammars from said server to said speech recognition engine via said client communication component based on initial information loaded from said server to said client (conversational templates Fig. 14, element 290 and 291 and column 14, lines 35-52), and

- further configured to process results of said speech recognition engine (column 7, lines 44-48), and

- a server having a server communication component
  configured to establish communication with a client
  (column 7, lines 32-38).

- a voice navigation component (column 7, lines 66-67 and
  column 8, lines 1-3); configured to provide information-
  dependent grammars from said server to said speech
  recognition engine based on said initial information and
  further configured to process said results of said speech
  recognition engine wherein said voice navigation
  component is available for download to and execution on
  said client (column 7, lines 36-57)

- said information-dependent grammars are available for
  download to and execution on said client (Fig. 4, element
  122).

Regarding claims 8 and 19, Profit, Jr. *et al.* discloses a method
and machine readable storage for gathering information via a network
by voice input comprising,

- loading an initial information from a server in a client
  using a communication component (Fig. 11 and column 13,
  lines 38-46);

- automatically loading an information-dependent grammar in
  said client by using access information contained in said
  initial information and automatically providing said
  information-dependent grammar to a speech recognition

> engine disposed in said client for recognizing spoken
>
> words defined by said information-dependent grammar
>
> (column 7, lines 34-43);

- sending results of said speech recognition engine to a
  voice navigation component (column 7, lines 49-57); and

- processing results of said speech recognition engine in
  said voice navigation component (column 7, lines 49-57).

Regarding claims 9 and 20, Profit, Jr. *et al.* discloses a method
and machine readable storage for gathering information via a network
by voice input wherein,

- said information-dependent grammar defines possible input
  values of Web related Web pages, Web pages belonging to a
  Web application, or a related Web application (column 9,
  lines 56-60).

Regarding claims 10 and 21, Profit, Jr. *et al.* discloses a method
and machine readable storage for gathering information via a network
wherein,

- said initial information is a Web page made available by
  said server (column 13, lines 58-61).

Regarding claim 17, Profit, Jr. *et al.* discloses a method
and machine readable storage for gathering information via a network
wherein,

- said voice navigation component is configured to process a spoken response (column 7, lines 44-47) ;

- a change of browser content (column 13, lines 25-37);

- and an HTTP-request to load a new application, applet, or Web page (column 10, lines 14-18).

Regarding claim 18, Profit, Jr. *et al*. discloses a method and machine readable storage for gathering information via a network wherein,

- said voice navigation component is configured to redraw a content frame (column 10, lines 29-34),

- to retrieve information from a server, and to initiate a server-based transaction from said speech recognition and synthesis engine (column 7, lines 34-43).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 11-13 and 22-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Profit, Jr. *et al*. as applied to claim 10 and 19 above, and in view of Barclay *et al*. (USPN 5960399).

Regarding claims 11 and 22, Profit, Jr. *et al*. fail to teach an

initial web page containing a reference to said voice navigation

component stored on said server. However, Barclay et al. teach of a

web page containing reference to voice navigation component stored on

the server side (Fig. 4 and column 8, lines 36-64). It would have

been obvious to one of ordinary skill in the art at the time of

applicant's invention to supplement Profit, Jr. et al.'s system for

voice controlled information retrieval with a reference on said

initial web page to voice navigation component to allow for a variety

of speech applications to be performed over the Internet or other such

network (column8, lines 65-67 and column 9, lines 1-2).

Regarding claims 12 and 23, Profit Jr., et al. and Barclay et al.

both fail to disclose of initial web page containing a reference to a

point-and-click component. However, the examiner takes Official

Notice that it is old and well known in the art to reference a point-

and-click component on initial web page to traverse through the

contents of a web page via a graphical user interface. Therefore, it

would have been obvious to one of ordinary skill in the art at the

time of applicant's invention to include Profit's web page with a.

point and click component (mouse) reference to allow for basic

navigation through a web page.

Regarding claims 13 and 24, Profit Jr., et al. fail to disclose

of identifying reference information on initial web page for accessing

voice navigation component and point-and-click component. However,

Barclay et al. teach of automatically identifying reference

information in said initial web page (embedded applet, Fig.4 and

column 8, lines 48-58). It would have been obvious for one of

ordinary skill in the art at the time of applicant's invention to

supplement Profit Jr. et al.'s initial web page with identified

reference information so as to for multimodal interaction and

navigation through the world wide web.

Moreover, neither Profit Jr. et al. nor Barclay et al.

specifically disclose of the automatic loading of a voice navigation

component and a point-and-click component from server to client.

However, the examiner takes Official Notice that it is old and well

known in the art to automatically load the interface components with

the loading of information for the initial web page. Therefore, it

would have been obvious to one of ordinary skill in the art at the

time of applicant's invention to include the automatic loading of said

voice and point and click component from server to client in Profit

Jr. et al.'s system for voice controlled information retrieval to

allow for multimodal interaction and navigation through the world wide

web.

8. **Claims 14 and 25** is rejected under 35 U.S.C. 103(a) as being

unpatentable over Profit Jr. et al, as applied to claim 13 above, in

view of Barclay et al. and further in view of Sorsa (USPN 624945).

Regarding claims 14 and 25, Profit Jr., et al. and Barclay et al.

fail to disclose of automatically associating identified reference

information with information-dependent grammars in initial web page

and automatically loading said identified information-dependent

grammar in said client, and providing said speech recognition engine

with access to said information-dependent grammar via said voice

navigation component. However, Sorsa teaches of automatically

associating identified reference information with information-

dependent grammars in initial web page and automatically loading said

identified information-dependent grammar in said client (Fig. 3

element 304 and column 7, lines 34-42), and providing said speech

recognition engine with access to said information-dependent grammar

via said voice navigation component (column 5, lines 44-61).

Therefore, it would have been obvious for one of ordinary skill in the

art at the time of applicant's invention to supplement the system for

voice-controlled information retrieval of Profit Jr. *et al.* and

Barclay *et al.* with identifying, loading, and providing access of

grammars to the speech recognition engine to reduce the processing

capabilities and memory resources required at the client terminal

(column 3, lines 5-7).

9.   **Claims 15 and 26** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Profit Jr., *et al.* as applied to claim 12 above in

view of Barclay *et al.*, and further in view of Borges *et al.* (IEEE SMC

99).

Regarding claims 15 and 26, Profit Jr. *et al.* and Barclay *et al.*

fail to teach of a voice navigation component and point and click

component having a common user-interface including user selectable

options. Borges discloses of a voice navigation component and point

and click component having a common user-interface (page 84) including

user selectable options (page 85, allows for navigating by voice or by

mouse). Therefore it would have been obvious for one of ordinary

skill in the art at the time of the invention to have Profit Jr.'s, et

al. method for gathering information via a network by voice input be

supplemented by a common user interface between a voice navigation

component and a point and click component because Borges *et al.*

teaches that this allows for user efficiency and user satisfaction

(page 80).

10.   **Claims 16 and 27** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Profit Jr. *et al.* as applied to claim 15 above, in

view of Barclay *et al.*, and further in view of Borges *et al.* and

further in view of Ladd et al. (USPN 6,539,359).

Regarding Claims 16 and 27, Profit Jr. et al., Barclay *et al.* and

Borges *et al.* all fail to disclose of a voice navigation component

interface including options for selecting information dependent

grammars stored on a server. Ladd *et al.* discloses a voice navigation

component user interface with options for selecting information-

dependent grammars stored on said server (column 4, lines 11-27).

Therefore it would have been obvious to one of ordinary skill in the

art at the time of applicant's invention to have Profit Jr.'s, *et al.*

method for gathering information via a network by voice input be

supplemented by options for selecting information-dependent grammars

to allow for the compatibility of different limitations such as gender

and type of language of the user and the type of device being used

(column 4, lines 24-27).

Regarding Claim 28, Claim 28 recites the same or similar
limitations as claim 17, above, and so is rejected for the same
reasons.
Regarding Claim 29, Claim 29 recites the same or similar
limitations as claim 18, above, and so is rejected for the same
reasons.

Conclusion

11.   The prior art made of record and not relied upon is considered

pertinent to applicant's disclosure.   Thrift et al. (USPN 6188985)

teach of a hand-held wireless voice-activated device for controlling a

host system, such as a computer connected to the Word Wide Web.   Brown

et al. teach of a platform for implementing interactive voice-

response(IVR) applications over the Internet including a speech

synthesizer, a grammar generator and a speech recognizer.

12.   Any inquiry concerning this communication or earlier

communications from the examiner should be directed to Donald Young

whose telephone number is (571) 272-8134.   The examiner can normally

be reached on 8:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful,

the examiner's supervisor, Talivaldis Smits can be reached on (571)

272-7628.   The fax phone number for the organization where this

application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be

obtained from the Patent Application Information Retrieval (PAIR)

system.   Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for

unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

Donald Young
Examiner
Art Unit 2654

06/02/05

RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER